IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO : 9237 of 2002**

Between:

1 N. Samba Raju, S/o. Rama Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
2 K. Venkata Soma Raju, S/o.K.V.Subba Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
3 N. Satyanarayana Raju, S/o.Samba Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
4 N. Janaki, W/o. Satyanarayana Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
5 R. Appala Narasamma, W/o. Rama Krishna,
Amberpeta, Bhimadole Mandal,
West Godavari District.
6 N. Nagabhushanam, S/o. Samba Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
7 N. Satyavathi, W/o. Subba Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.
8 K. Suryakanthamma, W/o. Venkata Soma Raju,
Amberpeta, Bhimadole Mandal,
West Godavari District.

….Petitioners

and

1 The District Collector,
West Godavari District, at Eluru.
2 The Divisional Forest Officer,
Eluru, West Godavari District.

3 The Mandal Reveue Officer,
Bhimadolu Mandal, West Godavari District.

…Respondents

**THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY**

**WRIT PETITION No. 9237 OF 2002**

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**ORDER:**

This Writ Petition is filed, seeking Writ of Mandamus, to direct the respondents not to interfere with the activities of the petitioners in digging fish tank in their own land, ad measuring Ac.36.91 guntas situated in Sy.Nos. 289,290,291,292/1,293 and 296 of Amberpeta village in Bhimadolu Mandal, West Godavari District.

It is the case of the petitioners that they individually own land ranging from two to five acres each, and, totally an extent of 36.91 guntas of land is held by them in Sy.Nos. 289,290,291,292/1,293 and 296 of Amberpeta village in Bhimadolu Mandal, West Godavari District. It is their further case that they are entitle to use their own land for the purpose of developing fish culture by digging tank, as much as the same is not within the notified area of Wild Life Protection Act or within Costal Regulation Zone.

Though Writ Petition is of the year 2002, no counter affidavit is filed.

Except the assertions made in the affidavit filed in support of the Writ petition, there is no basis for such allegations, as much as no written proceedings are issued by any of the respondents. If the petitioners are digging such tank, it is always open for the respondents to issue notice and take action, if such digging for fish tanks is in violation of provisions of any statute. In that view of the matter, I dispose of the Writ Petition directing the respondents to issue notice and take appropriate action, if the activities of petitioners are in violation of provisions of any statute.

The Writ Petition is accordingly disposed of. No order as to costs.

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*JUSTICE R. SUBHASH REDDY*

DATED: 07--10-2005.

Msnr